

**WILLIAM J. PENNINGTON III  
ATTORNEY AT LAW**

1063 LOYALIST LANE  
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(803) 881-8830

MAILING ADDRESS  
POST OFFICE BOX 1447  
MOUNT PLEASANT SC 29465  
TELECOPIER (803) 881-8830

ADMITTED IN  
SOUTH CAROLINA  
NORTH CAROLINA

September 2, 1995

DOCKET FILE COPY ORIGINAL

RECEIVED  
SEP 7 1995  
FCC MAIL ROOM

William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

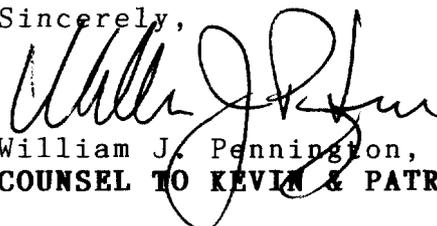
RE: Petition for Rule Making Seeking Changes in the  
Commission's FM Table of Allotments.

Dear Mr. Caton:

Transmitted herewith, on behalf of Kevin M. & Patricia W.  
Wodlinger, licensee of FM Station KRLK at Cassville, Missouri,  
is an original and four (4) copies of a "Petition for Rule Making  
and Request for Modification of Station License".

Should there be any questions regarding this matter, please  
do not hesitate to contact this office.

Sincerely,

  
William J. Pennington, III  
COUNSEL TO KEVIN & PATRICIA WODLINGER

Enc.

No. of Copies rec'd 024  
LPA/ODE  
MMB

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

DOCKET FILE COPY ORIGINAL

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No.
Table of Allotments	)	RM-
FM Broadcast Stations	)	
(Cassville and Kimberling City, Missouri)	)	

**RECEIVED  
SEP 7 1995  
FCC MAIL ROOM**

Directed to: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**PETITION FOR RULE MAKING AND  
REQUEST FOR MODIFICATION OF STATION LICENSE**

Kevin M. & Patricia W. Wodlinger (hereinafter "Wodlinger"), licensee of FM Station KRLK at Cassville, Missouri, hereby petitions the Commission to institute a rule making proceeding seeking the reassignment of Channel 261 from Cassville, Missouri to Kimberling City, Missouri and upgrading the channel classification from Class A to Class C2, by changing the Table of Allotments as follows:

<u>COMMUNITY</u>	<u>ALLOTMENTS</u>	
	<u>EXISTING</u>	<u>PROPOSED</u>
Cassville, MO	261A	None
Kimberling City MO	None	261C2

In addition, it is requested that the Commission modify the license of FM Station KRLK to specify operation on Channel 261C2 at Kimberling City, Missouri. The instant petition meets all

the Commission's criteria outlined for a change in community of license. This proposed change in allotment will not deprive Cassville of its only local transmission service. The new allotment at Kimberling City will result in a net service benefit for the affected communities. See, Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7094, 7097 68 RR 644, 650 (1990). In support whereof, the following is shown:

1. Attached as Exhibit E-1 is an FM channel spacing study which demonstrates that the proposed new allotment at Kimberling City is mutually exclusive with the existing allotment at Cassville. This study shows that but for the use of Channel 261A at Cassville, the proposed reassignment of Channel 261 could be made to Kimberling City, and the Commission's minimum channel spacing requirements could be met for that channel's allocation to the community as a Class C2 facility.

2. At present, there are no other FM stations assigned or licensed to Cassville. The Petitioner is the licensee of AM station KRMO at Monett, Missouri. On August 14, 1995 the Commission granted a construction permit changing Station KRMO(AM)'s community of license to Cassville, Missouri. This change in community of license can be effectuated without any technical changes to present operation of the station. The station presently places the required 5.0 mV/m service contour completely over the community of Cassville from its presently

authorized antenna site near the city of Monett. The Form 302 license application covering the construction permit is being filed simultaneously with this petition. A copy is attached hereto as Exhibit E-2.

2. Kimberling City has no AM Stations nor FM channel allotments. Kimberling City receives 1.0 mV/m service from 8 FM Stations. No gray or white area will be created by this proposed change in the Commission's Table of FM Allotments.

3. The application of the Commission's FM allotment priorities and policies to the communities of Cassville and Kimberling City demonstrates that the proposal will result in a preferential arrangement of allotments. See, Revision of FM Assignments, Policies and Procedures, 90 FCC 2d 88, 92 (1982). The proposed allocation of Channel 261C2 to Kimberling City would not provide (1) first aural service, or (2) second aural service; but would provide (3) first local service to Kimberling City, In addition, the Petitioner submits that evaluation of (4), other public interest matters, also results in a preferential arrangement of allotments. Revision of FM Assignments, supra.

4. Kimberling City, the county seat of Stone County, Missouri had a 1990 population of 1590 persons. Kimberling City is not located in or near any urbanized areas as determined by the United States Census Bureau. Stone County had a 1990 population of 19,078 persons. Monett has a 1990 population of 6,527 persons. Barry County, where Monett is located, has a 1990 population of 27,547 persons. At present, Stone County has **no**

local broadcast service.

5. All FM channel spacing requirements can be met for the allotment of Channel 261C2 to Kimberling City. Exhibit E-3 depicts the areas where a tower location can be found for the use of Channel 261C2 at Kimberling City. This area to locate is large enough to find a suitable tower site where the complete city of license could receive 70 dBu service.

6. Channel 261, if reassigned to Kimberling City, and upgraded in classification to Class C2, will serve three times as many persons within the station's proposed 60 dBu service contour than the station presently does as a Class A facility. Attached as Exhibit E-4 is a study which contrasts the number of persons and area within the station's present 60 dBu service contour with that which would be experience if reassigned to Kimberling City and allowed to upgrade to Class C2 classification. This significant difference in persons and area is relevant when evaluating public interest concerns involving a petition such as the one presented here.

7. Because Channel 261C2 would not be available to a third party for use at Kimberling City, the Petitioner's license may be modified to specify operation on the higher class channel pursuant to Section 1.420(g) of the Commission's Rules.

8. Should the Commission reassign Channel 261 to Kimberling City and allow for the upgrade of the channel's classification to Class C2 status, the Petitioner will immediately tender for filing with the Commission an application seeking operation with

the upgraded facilities from the new community of license. If granted a construction permit covering these facilities changes, the licensee will immediately construct the changes to the station.

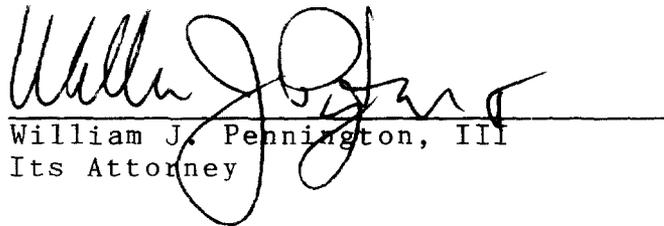
9. In summary, the reassignment of Channel 261 from Cassville to Kimberling City, and the requested upgrading of the allotment to Class C2 classification, would allow the station to serve a significantly greater number of persons while allowing Kimberling City and Stone County to obtain a first local broadcast service. The reassignment of Channel 261 from Cassville to Kimberling City would not leave Cassville void of any local service. As set forth herein, the Petitioner, also the licensee of AM station KRMO at Monett, Missouri, has concurrently filed a Form 302 license application with the Commission to cover a construction permit which changes Station KRMO(AM)'s community of license to Cassville, Missouri. It is clear that the reassignment of Channel 261 from Cassville to Kimberling City meets all of the criteria set forth in Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7094, 7097 68 RR 2d 644, 650 (1990) and is in the public interest and thus should be granted.

WHEREFORE, Kevin M. & Patricia W. Wodlinger, respectfully requests that the Commission, (i) reassign Channel 261 from Cassville, Missouri to Kimberling City, Missouri; (ii) upgrade Channel 261 to Class C2 classification, and; (iii) modify the

existing KRLK(FM) license to outline operation on Channel 262C2  
at Kimberling City, Missouri with Class C2 facilities.

Respectfully submitted,

**KEVIN M. & PATRICIA W. WODLINGER**



William J. Pennington, III  
Its Attorney

Post Office Box 1447  
Mount Pleasant, SC 29465

(803) 881-8830

September 2, 1995

FM CHANNEL SPACING STUDY

Kimberling City, Missouri

Reference Point  
 36-30-00 North  
 93-23-00 West

CLASS C2

-----CHANNEL 261 - 100.1 MHz-----							
CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
KRLK	261A	Cassville	MO	290.5	40.38	166.0	-125.62
KWMQ	262A	Southwest City	MO	270.5	109.87	106.0	3.87
KREB	258A	Huntsville	AR	226.3	59.93	55.0	4.93
KUKUFM	262C2	Willow Springs	MO	62.7	136.24	130.0	6.24
KGMVFM	263C2	Aurora	MO	349.7	67.02	58.0	9.02
KTCSEFM	260C	Fort Smith	AR	216.5	197.10	188.0	9.10
KADI	258A	Republic	MO	359.2	73.80	55.0	18.80
APP	260C3	Buffalo	MO	4.4	140.37	117.0	23.37
KHST	260A	Lamar	MO	322.4	129.44	106.0	23.44
KMAC	259C2	Gainesville	MO	82.8	82.20	58.0	24.20
KBFL	260A	Buffalo	MO	15.3	130.95	106.0	24.95
ALC	259A	Neosho	MO	289.2	95.15	55.0	40.15
KWCKFM	260C2	Searcy	AR	132.1	174.39	130.0	44.39
KDDK	262C1	Jacksonville	AR	156.8	205.27	158.0	47.27
KJMO	261C2	Jefferson City	MO	21.0	240.61	190.0	50.61
KYFM	261A	Bartlesville	OK	276.7	222.64	166.0	56.64
KBHG.C	207C2	Fayetteville	AR	218.9	92.14	20.0	72.14

**EXHIBIT E-2**

**COPY OF KRMO(AM) STATION LICENSE APPLICATION**

**WILLIAM J. PENNINGTON III  
ATTORNEY AT LAW**

ADMITTED IN  
SOUTH CAROLINA  
NORTH CAROLINA

1063 LOYALIST LANE  
MOUNT PLEASANT, SC 29464  
(803) 881-8830

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MOUNT PLEASANT SC 29465  
TELECOPIER (803) 881-8830

September 1, 1995

Federal Communications Commission  
Mass Media Services  
P.O. Box 358190  
Pittsburgh, PA 15251-5190

RE: Application for Station License for KRMO(AM) at  
Cassville, Missouri.

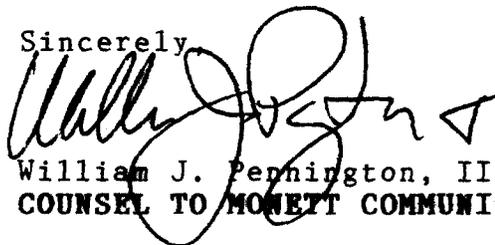
Dear Sir:

Transmitted herewith, on behalf of Monett Communications, Inc., licensee of Station KRMO(AM), is an original and two copies of a Form 302 application seeking a station license for Station KRMO(AM).

Attached to the application is a check for \$425.00, made payable to the Federal Communications Commission, to cover the applicable filing fee.

Should there be any questions regarding this application please do not hesitate to contact the undersigned.

Sincerely,



William J. Pennington, III  
COUNSEL TO MONETT COMMUNICATIONS, INC.

Enc.

Mountain Lakes Broadcasting, Inc.  
P.O. Box C  
Mountain Home, Arkansas 72653

FIRST NATIONAL  
BANK & TRUST CO.  
OF MOUNTAIN HOME  
MOUNTAIN HOME, ARKANSAS 72653  
81-103/829

1017

8/21/95

PAY TO THE  
ORDER OF FCC

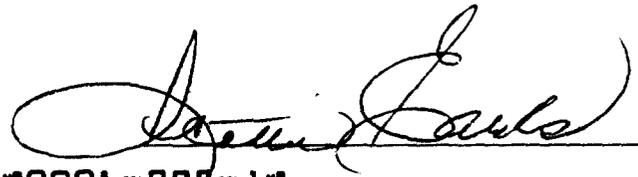
\$\*\*\*\*\*425.00

Four Hundred Twenty-Five and 00/100\*\*\*\*\* DOLLARS

MEMO KRMO LICENSE APPLICATION

⑈001017⑈ ⑆082901033⑆

⑈0004⑈998⑈1⑈



FEDERAL COMMUNICATIONS COMMISSION  
**FEE PROCESSING FORM**

FOR  
FCC  
USE  
ONLY

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

**SECTION I**

APPLICANT NAME (Last, first, middle initial)  
MONETT COMMUNICATIONS, INC.

---

MAILING ADDRESS (Line 1) (Maximum 95 characters - refer to Instruction (2) on reverse of form)  
1569 NORTH CENTRAL

---

MAILING ADDRESS (Line 2) (if required) (Maximum 95 characters)

---

CITY  
MONETT

---

STATE OR COUNTRY (if foreign address) MO	ZIP CODE 65708	CALL SIGN KRMO (AM)	OTHER FCC IDENTIFIER -
---	-------------------	------------------------	---------------------------

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(1) M M R		\$ 425.00	

**SECTION II** — To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(2)		\$	
(3)		\$	
(4)		\$	
(5)		\$	

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE. →

TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING	FOR FCC USE ONLY
\$ 425.00	

**APPLICATION FOR NEW BROADCAST STATION LICENSE**

(Carefully read instructions before filling out Form)

**RETURN ONLY FORM TO FCC**

For <u>Commission</u> Fee Use Only	FEE NO:	For <u>Applicant</u> Fee Use Only Is a fee submitted with this application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, indicate reason therefor (check one box): <input type="checkbox"/> Nonfeeable application Fee Exempt (See 47 C.F.R. Section 1.1112) <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Governmental entity
	FEE TYPE:	
	FEE AMT:	
	ID SEQ:	

**SECTION I - GENERAL DATA**

For Commission Use Only  
File No.

Legal Name of Applicant  MONETT COMMUNICATIONS, INC.	Mailing Address 1569 NORTH CENTRAL		
	City MONETT	State MO	Zip Code 65708
	Telephone No. (include area code) (417) 235-6041		

1. Facilities authorized by construction permit

This application is for:  Commercial  Noncommercial  
 AM Directional  AM Non-Directional  FM Directional  FM Non-Directional  TV

Call Letters KRMO	Community of License CASSVILLE	Construction Permit File No. BP-950222AB	Modification of Construction Permit File No(s). -	Expiration Date of Last Construction Permit -
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2. Is the station now operating pursuant to automatic program test authority in accordance with 47 C.F.R. Section 73.1620?  Yes  No

If No, explain.

3. Have all the terms, conditions, and obligations set forth in the above described construction permit been fully met?  Yes  No

If No, state exceptions.

4. Apart from the changes already reported, has any cause or circumstance arisen since the grant of the underlying construction permit which would result in any statement or representation contained in the construction permit application to be now incorrect?  Yes  No

If Yes, explain.

5. Has the permittee filed its Ownership Report (FCC Form 323) or ownership certification in accordance with 47 C.F.R. Section 73.3615(b)?  Yes  No

If No, explain.

Does not apply

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

#### CERTIFICATION

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant Monett COMMUNICATIONS, INC.	Signature Kevin Woolinger
Title President	Date 8-22-95

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT,  
U.S. CODE, TITLE 18, SECTION 1001.

#### FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, engineers, and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authorization.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(d)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

Section II-A

License Application Engineering Data - AM Broadcast

Name of Applicant

MONETT COMMUNICATIONS, INC.

PURPOSE OF AUTHORIZATION APPLIED FOR: (check one)

Station License

Direct measurement of power

1. Facilities authorized in construction permit

Call Sign	File No. of Construction Permit (if applicable)	Frequency (kHz)	Hours of operation	Power in kilowatts	
				Night	Day
KRMO	BP-950222AB	990 kHz	UNLIMITED	0.047 KW	2.50 KW

2. Station location

State	City or Town
MISSOURI	CASSVILLE

3. Transmitter location

State	County	City or Town	Street address (or other identification)
MISSOURI	BARRY	MONETT	1569 NORTH CENTRAL STREET

4. Main Studio location

State	County	City or Town	Street Address (or other identification)
MISSOURI	BARRY	MONETT	1569 NORTH CENTRAL STREET

5. Remote control point location (specify only if authorized directional antenna) DNA

State	County	City or Town	Street address (or other identification)

6. Operating constants:

RF common point or antenna current (in amperes) without modulation for night system NO CHANGE-ON FILE	RF common point or antenna current (in amperes) without modulation for day system NO CHANGE ON FILE
Measured antenna or common point resistance (in ohms) at operating frequency Night NO CHANGE ON FILE Day	Measured antenna or common point reactance (in ohms) at operating frequency Night NO CHANGE ON FILE Day

Antenna indications for directional operation DNA

Tower	Antenna monitor Phase reading in degrees		Antenna monitor sample current ratio		Antenna base current	
	Night	Day	Night	Day	Night	Day

Manufacturer and type of antenna monitor:

7. Description of antenna system

(If directional antenna is used, the information requested below should be given for each element of the array. Use separate sheets if necessary. Height figures should not include obstruction lighting.)

Type radiator VERTICAL GUYED STEEL SKELETAL	Height in meters of complete radiator above base insulator, or above base if grounded. ON FILE-NO CHANGE	Overall height in meters above ground (without obstruction lighting) ON FILE-NO CHANGE	If antenna is either top loaded or sectionalized, describe fully in Exhibit No. <u>DNA</u>
---	---	---	--

Excitation

Series

Shunt

Geographic coordinate to nearest second. For directional antenna give coordinates of center of array. For single vertical radiator give tower location.

North latitude	36 °	56 '	15 "	West longitude	93 °	55 '	30 "
----------------	------	------	------	----------------	------	------	------

If not fully described above, attach as Exhibit No. 1 further details and dimensions including any other antenna mounted on tower and associated isolation circuits. Also, if necessary for a complete description attach as Exhibit No. DNA a sketch of the details and dimensions of ground system.

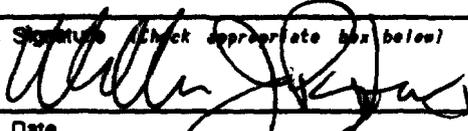
8. In what respect, if any, does the apparatus constructed differ from that described in the application for construction permit or in the permit?

NONE

9. Give reasons for the change in antenna or common point resistance.

NO CHANGE

I certify that I represent the applicant in the capacity indicated below and that I have examined the foregoing statement of technical information and that it is true to the best of my knowledge and belief.

Name (Please Print or Type) WILLIAM J. PENNINGTON, III	Signature (Check appropriate box below) 
Address (Include ZIP Code) POST OFFICE BOX 1447 MOUNT PLEASANT, SC 29465	Date SEPTEMBER 1, 1955
	Telephone No. (Include Area Code) (803) 881-8830

Technical Director

Registered Professional Engineer

Chief Operator

Technical Consultant

Other (specify)

**OTHER ANTENNAS MOUNTED ON THE KRMO RADIATOR**

Station KKBL-FM, licensed to Monett, Missouri and owned by the KRMO(AM) licensee, has its four bay antenna side mounted on the KRMO(AM) radiator. The KKBL(FM) antenna is side mounted near the top of the radiator. The KKBL(FM) antenna uses an isocoupler to isolate the antenna from the KRMO(AM) radiator so that it is electrically "invisible" and does not allow for grounding of the KRMO(AM) radiator.

EXHIBIT E-3

AREA TO LOCATE ANTENNA SITE FOR  
CHANNEL 261C2 AT KIMBERLING CITY, MISSOURI

KANSAS CITY  
SECTIONAL AERONAUTICAL CHART  
SCALE 1:500,000

KIMBERLING CITY  
CITY LIMITS

KGMY-FM CH. 263C2  
AURORA, MO  
58.0 KILOMETERS

KWQ(FM) CH. 262A  
SOUTHWEST CITY, MO  
106.0 KILOMETERS

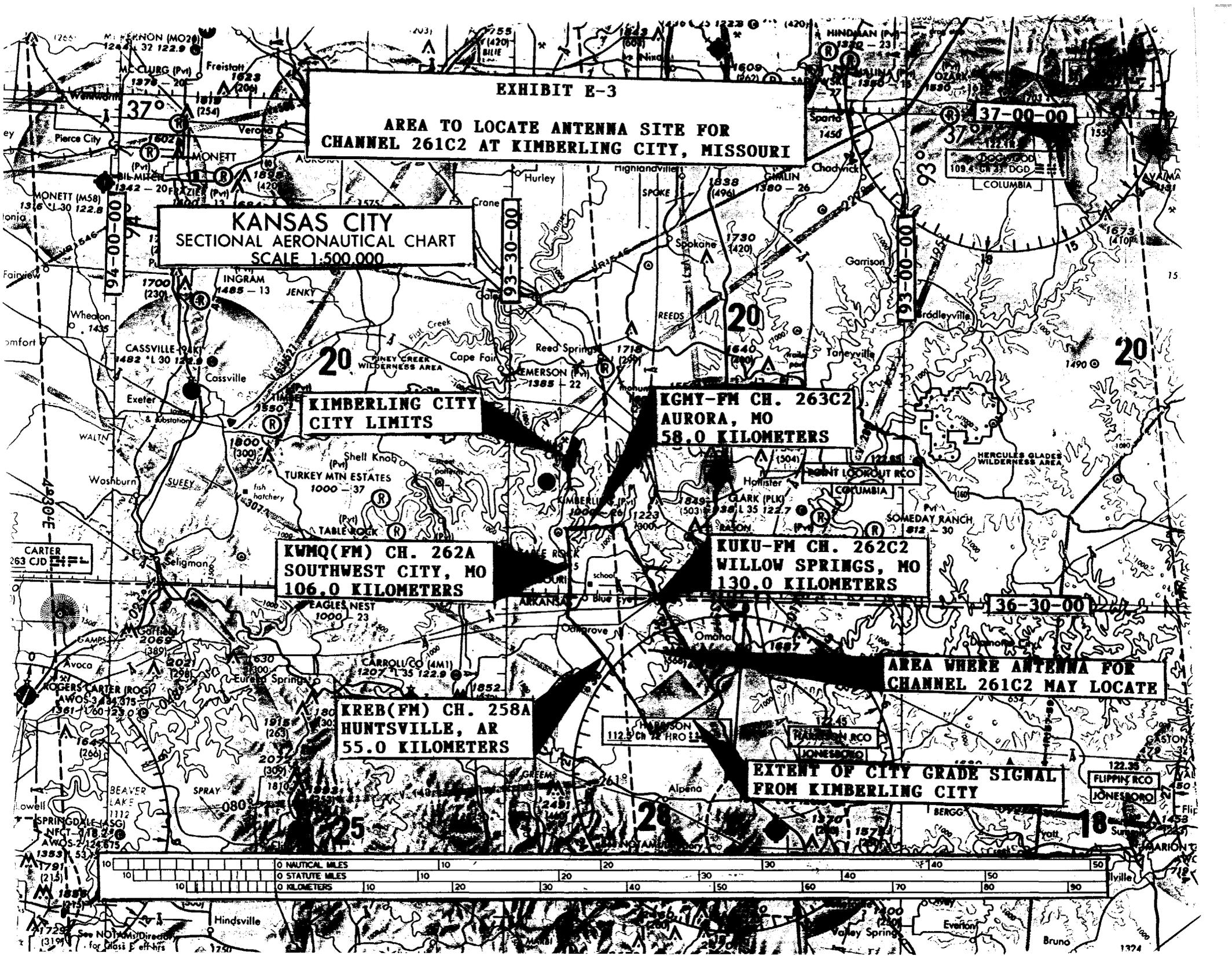
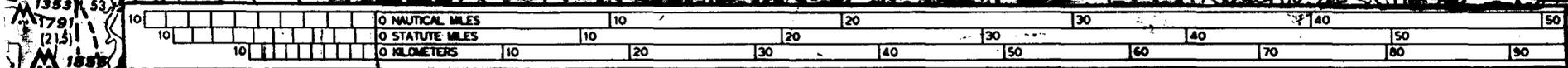
KUKU-FM CH. 262C2  
WILLOW SPRINGS, MO  
130.0 KILOMETERS

AREA WHERE ANTENNA FOR  
CHANNEL 261C2 MAY LOCATE

KREB(FM) CH. 258A  
HUNTSVILLE, AR  
55.0 KILOMETERS

EXTENT OF CITY GRADE SIGNAL  
FROM KIMBERLING CITY

FLIPPING RCO  
JONESBORO



**EXHIBIT E-4**

**CONTRAST IN POPULATION AND AREA  
OF  
EXISTING AND PROPOSED OPERATION**

**CONTRAST OF AREAS AND POPULATION  
OF  
EXISTING AND PROPOSED OPERATION**

	<b>(KM) AREA</b>	<b>POPULATION</b>
Existing Operation (Cassville)	2461.76	50,554
Proposed Operation (Kimberling City)	8167.14	146,819